

10/577,210

REMARKS

The drawings are objected to for the reasons noted in the official action. The raised drawing rejection is believed to be overcome by the cancellation of claim 54 from this application. Notwithstanding such cancellation, in the event that any amendment to the drawings is still believed necessary, the Examiner is invited to contact the undersigned representative of the Applicant to discuss the same.

Claim 31 is objected to for the reason noted in the official action. The above requested amendment to claims 31 are believed to overcome the raised informality concerning that claim. If any further amendment to the claim 31 is believed necessary, the Examiner is invited to contact the undersigned representative of the Applicant to discuss the same.

Claims 31-33 and 35-59 are then rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for the reasons noted in the official action. The rejected claims are accordingly amended, by the above claim amendments, and the presently pending claims are now believed to particularly point out and distinctly claim the subject matter regarded as the invention, thereby overcoming all of the raised § 112, second paragraph, rejections. The entered claim amendments are directed solely at overcoming the raised indefiniteness rejection(s) and are not directed at distinguishing the present invention from the art of record in this case.

Next, claims 31, 54 and 57 are rejected, under 35 U.S.C. § 102(e), as being anticipated by Hegerath '599 (U.S. Publication No. 2004/0206599 A1); claim 55 is rejected, under 35 U.S.C. § 103(a), as being unpatentable over Hegerath '599; claims 32 and 33 are rejected, under 35 U.S.C. § 103(a), as being unpatentable over Hegerath '599 in view of either Zagrodzki et al. '723 (U.S. Publication No. 2005/0284723 A1) or Okada et al. '397 (United States Patent No. 5,913,397); claim 54 is further rejected, under 35 U.S.C. § 103(a), as being unpatentable over Hegerath '599 in view of the German document G 91 14 528.7; and claims 58 and 59 are rejected, under 35 U.S.C. § 103(a), as being unpatentable over Hegerath '599 A1) in view of Park '177 (United States Patent No. 6,468,177). The Applicant acknowledges and respectfully traverses all of the raised anticipatory and obviousness rejections in view of the above amendments and the following remarks.

12/01/08 4:33 AM

10/577,210

The Applicant thanks the Examiner for indicating that claim 35-53 and 56 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claim(s). In accordance with this indication, the subject matter of claim 36 is incorporated into claim 31 while claim 39 is appropriately revised to be an independent claim and independent claim 56 is suitably revised to overcome the note objections. Each one of those three amended independent claim is now believed to be allowable. As claims 32-25, 40-53, 55, 57-59 all depend, either directly or indirectly, from either independent claim 39 or 56, those dependent claims are also believed to be allowable as well.

In view of the above claim cancellation and amendments, the Applicant respectfully submits that further comments concerning the applied prior art of Hegerath '599, Zagrodzki et al. '723, Okada et al. '397, German document G 91 14 528.7 and/or Park '177 is not believed necessary. The Applicant also notes the remaining prior art cited in the official action. As none of that additional art is applied by the Examiner against the claims of this application, the Applicant is not providing any comments concerning that art as well.

If any further amendment to this application is believed necessary to advance prosecution and place this case in allowable form, the Examiner is courteously solicited to contact the undersigned representative of the Applicant to discuss the same.

In view of the above amendments and remarks, it is respectfully submitted that all of the raised rejection(s) should be withdrawn at this time. If the Examiner disagrees with the Applicant's view concerning the withdrawal of the outstanding rejection(s) or applicability of the Hegerath '599, Zagrodzki et al. '723, Okada et al. '397, German document G 91 14 528.7 and/or Park '177 references, the Applicant respectfully requests the Examiner to indicate the specific passage or passages, or the drawing or drawings, which contain the necessary teaching, suggestion and/or disclosure required by case law. As such teaching, suggestion and/or disclosure is not present in the applied references, the raised rejection should be withdrawn at this time. Alternatively, if the Examiner is relying on his/her expertise in this field, the Applicant respectfully requests the Examiner to enter an affidavit substantiating the

12/1/08 2:03 AM

- 13 -

10/577,210

Examiner's position so that suitable contradictory evidence can be entered in this case by the Applicant.

In view of the foregoing, it is respectfully submitted that the raised rejection(s) should be withdrawn and this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

The Applicant respectfully requests that any outstanding objection(s) or requirement(s), as to the form of this application, be held in abeyance until allowable subject matter is indicated for this case.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,



Michael J. Bujold, Reg. No. 32,018
Customer No. 020210
Davis & Bujold, P.L.L.C.
112 Pleasant Street
Concord, NH 03301-2931
Telephone 603-226-7490
Facsimile 603-226-7499
E-mail: patent@davisandbujold.com

12/1/08 2:37 am

- 14 -